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S. Robert Chuey	39,140
Name of Attorney	Registration No.
Signature of Attorney	

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P&G Case 7922

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
GARY (NMN) STEPHENSON : Confirmation No. 5677
Serial No. 09/489,310 : Group Art Unit 1614
Filed January 21, 2000 : Examiner S. Rose

For METHODS OF USING A BEVERAGE COMPOSITION

BRIEF ON APPEAL

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

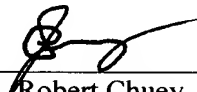
Dear Sir:

Enclosed, pursuant to 37 C.F.R. 1.192(a), is Appellant's brief on Appeal for the above application. The Brief is being forwarded in triplicate.

Please charge the fee of \$320.00 pursuant to 37 C.F.R. 1.17(c) to Deposit Account No. 16-2480 for the filing of the brief in support of an appeal. The Commissioner is also authorized to charge any additional fees which may be required to this account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By


S. Robert Chuey
Attorney or Agent for Applicant(s)
Registration No. 39,140
(513) 634-0102

Date: June 16, 2003

Customer No. 27752

**FEE TRANSMITTAL
for FY 2003**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/489,310
Confirmation Number	5677
Filing Date	January 21, 2000
First Named Inventor	Gary Stephenson
Examiner Name	Shep K. Rose
Group/Art Unit	1614
Attorney Docket No.	7922

TOTAL AMOUNT OF PAYMENT (\$) 320.00**RECEIVED**
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TECH CENTER 1600/2300**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number **16-2480**
Deposit Account Name **The Procter & Gamble Company**
- ☒ Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Code	(\$)	Fee Description	Fee Paid
1051	130	Surcharge-late filing fee or oath	<input type="checkbox"/>
1052	50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
1053	130	Non-English specification	<input type="checkbox"/>
1812	2,520	For filing a request for ex parte reexamination	<input type="checkbox"/>
1804	920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
1805	1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
1251	110	Extension for reply within 1 st month	<input type="checkbox"/>
1252	410	Extension for reply within 2 nd month	<input type="checkbox"/>
1253	930	Extension for reply within 3 rd month	<input type="checkbox"/>
1254	1,450	Extension for reply within 4 th month	<input type="checkbox"/>
1255	1,970	Extension for reply within 5 th month	<input type="checkbox"/>
1401	320	Notice of Appeal	<input type="checkbox"/>
1402	320	Filing a brief in support of an appeal	<input checked="" type="checkbox"/>
1403	280	Request for oral hearing	<input type="checkbox"/>
1451	1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
1452	110	Petition to revive - unavoidable	<input type="checkbox"/>
1453	1,300	Petition to revive - unintentional	<input type="checkbox"/>
1501	1,300	Utility issue fee (or reissue)	<input type="checkbox"/>
1502	470	Design issue fee	<input type="checkbox"/>
1460	130	Petitions to the Commissioner	<input type="checkbox"/>
1807	50	Petitions related to provisional applications (37 C.F.R. 1.17(q))	<input type="checkbox"/>
1806	180	Submission of Information Disclosure Statement	<input type="checkbox"/>
1809	750	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
1810	750	For each additional invention to be examined (37 CFR §1.129(b))	<input type="checkbox"/>
1801	750	Request for Continued Examination (RCE)	<input type="checkbox"/>
1802	900	Request for expedited examination of a design application	<input type="checkbox"/>
1454	1300	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
Other fee (specify) _____			<input type="checkbox"/>
Other fee (specify) _____			<input type="checkbox"/>

FEE CALCULATION**1. BASIC FILING FEE - Large Entity**

Code (\$)	Fee Description	Fee Paid
1001 750	Utility filing fee	<input type="checkbox"/>
1002 330	Design filing fee	<input type="checkbox"/>
1004 750	Reissue filing fee	<input type="checkbox"/>
1005 160	Provisional filing fee	<input type="checkbox"/>

SUBTOTAL (1) (\$) ☐**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE - Large Entity**

	Extra Claims	Fee from Below	Fee Paid
Total Claims	<input type="checkbox"/> - 20** = <input type="checkbox"/> x <input type="checkbox"/> =	<input type="checkbox"/>	<input type="checkbox"/>
Independent Claims	<input type="checkbox"/> - 3** = <input type="checkbox"/> x <input type="checkbox"/> =	<input type="checkbox"/>	<input type="checkbox"/>
Multiple Dependent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

** or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
1202 18	Claims in excess of 20
1201 84	Independent claims in excess of 3
1203 280	Multiple dependent claim, if not paid
1204 84	**Reissue independent claims over original patent
1205 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$) ☐* Reduced by Basic Filing Fee Paid **SUBTOTAL(3) (\$)** 320**SUBMITTED BY**

Name (Print/Type)

S. Robert Chuey

Registration No.

39,140**Complete (if applicable)**

Telephone

(513) 634-0102

Signature

Date

June 16, 2003

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.



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Fee Transmittal (original + 1 copy)
Notice of Appeal (original + 1 copy)
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Deposited with U.S. Postal Service as 1st Class Mail
with Certificate of Mailing under 37 CFR 1.8
Dated: April 9, 2003

Inventor: Stephenson
Serial No.: 09/489,310
Case 7922
SRC/JLS



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